

REMARKS/ARGUMENT

Claims 1, 2 and 4-59 are pending. Claims 1, 2, 4-40, 42, 43 and 45-58 have been amended to define still more clearly what Applicants regard as their invention. Claim 3 has been cancelled without prejudice. Claims 1, 31, 40, 43, 45 and 58 are the independent claims.

Applicants note with appreciation the allowance of claims 40, 41, 43, 44, 58 and 59. The amendments to claims 40, 43 and 58 are formal in nature and are not believed to affect their allowability.

All of the claims were objected to for certain perceived informalities. With regard to the Examiner's suggestion that type be replaced by signal, Applicants decline the invitation to so amend the claims. However, the claims have been amended to make more clear that signals can be of a particular modulation type. That is, a signal may be discriminated to be of the digital modulation type or of the analog modulation type. In these cases, what is being discriminated is the type of modulation characteristic of the signal. Therefore, it is certainly not an issue of "covering an infinite number of modulations" as was alleged in the Office Action, especially as amended. Withdrawal of the objection is respectfully requested.

With regard to the alleged requirement that no gaps may appear between ordinal recitations of elements, Applicants know of no such regulation or MPEP requirement. In fact, a third step may be recited before recitation of a second step that may appear, for example, in a dependent claim. If the Examiner is aware of any authority for the alleged requirement, the Examiner is requested to cite it in the next Office Action. As to the acronyms, the amendments to the claims have obviated this objection.

Claims 31-39 were objected to because they recited steps in the passive tense. The amendments to those claims is believed to obviate the objection. It is noted that those claims

are simply method claims, and are **not** “step plus function” claims, as alleged in the Office Action.

Claims 1-3, 17, 31 and 45 were rejected under 35 U.S.C. § 112, first paragraph, for lack of enabling disclosure, and the specification was objected to on the same ground. It is believed that the basis of this rejection was the contention that certain claims were single means claims or did not actually recite actual steps. The above amendments to the claims are believed to obviate this rejection and its withdrawal is requested.

Claims 1, 17 and 31 were rejected under 35 U.S.C. § 102(b) U.S. Patent 5,598,430 (Hachisuka et al.).

Independent claim 1 recites, inter alia, analog modulation type discrimination means for, in a case where the reception signal is discriminated to be a signal of the analog modulation type, receiving the discriminated reception signal and discriminating whether the discriminated reception signal is an AM signal or an FM signal. As amended, claim 1 incorporates the features of now-canceled claim 3, which was not rejected over the prior art.

Hachisuka et al. is cited as teaching a receiver that discriminates whether the modulation type of a reception signal is of the analog modulation type or of the digital modulation type. However, no teaching or suggestion has been found in Hachisuka of, inter alia, the analog type discrimination means of claim 1. For at least these reasons, claim 1 is believed in condition for allowance.

Claim 31 has been amended, inter alia, to recite that if it is discriminated that the reception signal is a signal of the digital modulation type, then it is discriminated if that signal is of the linear or non-linear type.

No teaching or suggestion has been found in Hachisuka of, for signals that have

been discriminated as being of the digital modulation type, further discriminating whether that signal is of the linear or non-linear type.

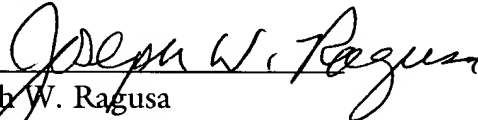
Accordingly, independent claim 31 is believed to be clearly distinguished from Hachisuka et al.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Dated: December 22, 2003

Respectfully submitted,

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